

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 15<sup>th</sup> day of December, 2008 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor  
Jay Attaway, Mayor Pro Tempore  
Vickie Abrego, Council Member  
Frank Hametner, Council Member  
Karen Mayer, Council Member

ABSENT:

ADMINISTRATIVE  
PERSONNEL PRESENT: K. M. Hubert, City Manager  
Allen Lawrence, City Attorney  
Ada Owens, City Secretary

ADMINISTRATIVE  
PERSONNEL ABSENT:

STAFF PRESENT: Mike Sullinger, Consultant to Council/Harbor Project Manager  
Bill Haines, Asst. Police Chief/Harbormaster  
Rickie Kilgore, Interim Fire Chief  
Frank Truitt, City Inspector  
Don Brummett, Acting Public Works Director  
Sandy Roddel, Finance Director

OTHERS PRESENT: T. Hargrave, Lu & Ralph Arcemont, Rosemary Vega/Chamber of Commerce, Phil & Nell Reynolds, Harland & Elizabeth Roberts, Joan Snodgrass, R. Wright

*There may have been others present who did not sign in.*

**ITEM 1. CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 p.m. on December 15, 2008.

**ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Council Member Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

**ITEM 3. CONSENT AGENDA:** *“All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.”*

A. Approval of minutes of December 1, 2008.

Council Member Mayer made the motion to approve the Consent Agenda. Council Member Abrego seconded the motion and the motion carried unanimously.

**ITEM 4. PRESENTATION OF ARANSAS PASS CHAMBER OF COMMERCE 2009 BUDGET.**

Arnold Govella, Chairman of Board of the Chamber of Commerce, stated Rosemary Vega, CEO of the Chamber of Commerce, had provided the budget to the Council, a small primer on what the Chamber has done to market the City, and the Chamber's budget for 2009.

City Manager Kandi Hubert stated she understood the City Council approves the Chamber of Commerce's budget, which was not on the agenda tonight. She stated the Chamber's contract with the City expired September 2008 and the Chamber's budget was supposed to be presented in July (2008).

Ms. Vega stated last year the Chamber had presented a two-year budget to the City Council because the Chamber was not on the same fiscal year as the City. She stated

2008 and 2009 budgets were presented so the City would have something to go by when the City made their budget.

Council Member Abrego asked Ms. Vega could she provide the City Manager a copy of the 2008 and 2009 Chamber budgets?

Ms. Vega stated yes.

Discussion was held on contracts that had been brought before the City Council.

Council Member Abrego stated the Chamber should meet with the City Manager to make sure the contract was current.

**ITEM 5. PUBLIC HEARING ON REQUEST OF RICHARD AND RUSSELL WRIGHT TO RENEW A CONDITIONAL USE PERMIT FOR AN AUTO SERVICES, SALES, AND REPAIR BUSINESS AT 1561 W. WHEELER, CITY OF ARANSAS PASS. THE PROPERTY IS DESCRIBED AS 153' X 430' OUT OF TRACT 2, LANDBLOCK 206 AND IS ZONED GB (GENERAL BUSINESS).**

City Attorney Allen Lawrence declared the Public Hearing open at 7:08 p.m. on the request of Richard and Russell Wright to renew a Conditional Use Permit for an auto services, sales, and repair business at 1561 W. Wheeler, City of Aransas Pass. The property is described as 153' x 430' out of Tract 2, Landblock 206 and is zoned GB (General Business).

Mr. Richard Wright spoke for the request stating he was asking for a renewal of their Conditional Use Permit.

The City Attorney stated the Planning and Zoning Commission had met previously on the request and recommended the Council approve the request and make the Conditional Use Permit perpetual. He stated he also recommended approval of a perpetual Conditional Use Permit.

The City Attorney asked if there was anyone present to speak against the request. Seeing no one, the City Attorney closed the Public Hearing at 7:11 p.m.

**ITEM 6. CONSIDER AND ACT ON REQUEST OF RICHARD AND RUSSELL WRIGHT TO RENEW A CONDITIONAL USE PERMIT FOR AN AUTO SERVICES, SALES, AND REPAIR BUSINESS AT 1561 W. WHEELER, CITY OF ARANSAS PASS. THE PROPERTY IS DESCRIBED AS 153' X 430' OUT OF TRACT 2, LANDBLOCK 206 AND IS ZONED GB (GENERAL BUSINESS).**

Mayor Pro Tempore Attaway made the motion to approve the request of Richard and Russell Wright to renew a Conditional Use Permit as perpetual for an auto services, sales, and repair business at 1561 W. Wheeler with the same conditions. Council Member Hametner seconded the motion and the motion carried unanimously.

**ITEM 7. CONSIDER AND ACT ON APPOINTING TEMPORARY BOARD OF DIRECTORS TO THE CRIME PREVENTION DISTRICT FOR NUECES AND SAN PATRICIO COUNTIES.**

The City Manager stated the Board would decide on projects and how they would be funded (from one-half cent sales tax collected in Nueces and San Patricio Counties) and would not oversee any Police Department operations.

The City Attorney stated the temporary Board of Directors would set a two-year budget and a two-year program of services to be provided and once that was completed it (the approval of a one-half cent sales tax increase) would be presented to the voters in May 2009.

After discussion, Council Member Mayer made the motion to appoint the Police Chief, the Fire Chief, the City Manager, Nancy Schoenfeld, Douglas Carr, Thomas Hargrave, and Earl Buckmaster. Council Member Hametner seconded the motion and the motion carried unanimously.

**ITEM 8. RESOLUTION 2008-610 - REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD FOR CONSTRUCTING VARIOUS PUBLIC IMPROVEMENTS TO THE CITY'S UTILITY SYSTEM; AUTHORIZING THE CITY'S FINANCIAL ADVISORS, BOND COUNSEL, AND ENGINEERS TO COORDINATE THE SUBMISSION OF THE APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD; AND OTHER MATTERS IN CONNECTION THEREWITH.**

Mayor Knight stated Items 8, Item 9 and Item 10 were not ready for Council action and

would be passed over.

**ITEM 9. CONSIDER AND ACT TO APPROVE AN ENGINEERING CONTRACT WITH NAISMITH ENGINEERING IN REGARDS TO THE TWDB EDAP PROJECT**

Passed over.

**ITEM 10. CONSIDER AND ACT ON AMENDING THE CITY'S EXISTING WATER CONSERVATION PLAN TO COMPLY WITH THE TWDB RULES**

Passed over.

**ITEM 11. CONSIDER AND ACT ON RESOLUTION NO. 2008-609 - A RESOLUTION OF THE CITY OF ARANSAS PASS, TEXAS, AUTHORIZING THE SOUTH TEXAS AGGREGATION PROJECT, INC. (STAP) TO NEGOTIATE AN ELECTRIC SUPPLY AGREEMENT FOR DELIVERIES OF ELECTRICITY AND NECESSARY, RELATED SERVICES EFFECTIVE JANUARY 1, 2009; APPROVING STAP CONTRACTING WITH FPL ENERGY AND DIRECT ENERGY AND AUTHORIZING THE MAYOR OR OTHER DESIGNATED CITY OFFICIAL TO SIGN A CONTRACT WITH STAP FOR THE CITY'S ELECTRICITY NEEDS FOR THE PERIOD BEGINNING JANUARY 1, 2009 AND EXTENDING UP TO DECEMBER 31, 2013; COMMITTING TO BUDGET FOR ENERGY PURCHASES AND TO HONOR THE CITY'S COMMITMENTS TO PURCHASE POWER THROUGH STAP FOR ITS ELECTRICAL NEEDS FOR THE PERIOD BEGINNING JANUARY 1, 2009, AND EXTENDING UP TO DECEMBER 31, 2013.**

Discussion was held with Finance Director Sandy Roddel regarding the new provider, prices for electric supply from different providers, and length of the contract with STAP.

Council Member Mayer made the motion to approve Resolution No. 2008-609 - a Resolution of the City of Aransas Pass, Texas, Authorizing the South Texas Aggregation Project, Inc. (STAP) to negotiate an electric supply agreement for deliveries of electricity and necessary, related services effective January 1, 2009; approving STAP contracting with FPL Energy and Direct Energy and Authorizing the Mayor or other designated City official to sign a contract with STAP for the City's electricity needs for the period beginning January 1, 2009 and extending up to December 31, 2013; Committing to budget for energy purchases and to honor the city's commitments to purchase power through STAP for its electrical needs for the period beginning January 1, 2009, and extending up to December 31, 2013. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

**ITEM 12. CONSIDER AND ACT ON LETTER OF AGREEMENT BETWEEN THE CITY OF ARANSAS PASS AND SOUTH TEXAS AGGREGATION PROJECT (STAP) FOR SUPPLY OF ELECTRICITY.**

Council Member Hametner made the motion to approve the letter of agreement between the City of Aransas Pass and STAP. Council Member Abrego seconded the motion and the motion carried unanimously.

**ITEM 13. CONSIDER AND ACT ON APPROVING BID FOR THE ARANSAS PASS CIVIC CENTER TO PURCHASE 2,000 BANQUET CHAIRS.**

Harlan Roberts, Director, Aransas Pass Municipal Development District (APMDD) stated the banquet chairs chosen by the APMDD were first class and had a 10-year warranty. He stated the bid was awarded to Educator's Depot, Inc. for \$117,000.000. He stated 10 dollies would be included to move the chairs.

Council Member Hametner made the motion to approve the bid from Educator's Depot Inc. for \$117,000.00, for the Aransas Pass Civic Center to purchase 2,000 chairs. Council Member Mayer seconded the motion and the motion carried unanimously.

**ITEM 14. CONSIDER AND ACT ON APPROVING BID FOR THE ARANSAS PASS CIVIC CENTER TO PURCHASE KITCHEN EQUIPMENT.**

Mr. Roberts (APMDD) stated the APMDD recommended the bid from Mission Restaurant Supply for kitchen equipment for \$161,514.00 be approved. He stated plans for the catering kitchen had changed to a full working kitchen.

Council Member Hametner made the motion to approve the bid from Mission Restaurant Supply for \$161,514.00, for the Aransas Pass Civic Center to purchase kitchen equipment. Council Member Abrego seconded the motion and the motion passed unanimously.

**ITEM 15. CONSIDER AND ACT ON APPROVING BID FOR THE ARANSAS PASS CIVIC CENTER TO PURCHASE AUDIO/VIDEO EQUIPMENT.**



**ITEM 22. ADJOURNMENT OF MEETING.**

Mayor Pro Tempore Attaway made the motion to adjourn the meeting. Council Member Mayer seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:43 p.m.

Tommy Knight, Mayor

ATTEST:

Ada Owens, City Secretary